

TOWN OF MEDWAY
WARRANT FOR MAY 9, 2022
ANNUAL TOWN MEETING

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the **Medway High School, 88 Summer Street**, on **Monday, May 9, 2022**, at 7:30 PM, then and there to act on the following articles:

ARTICLE 1: (Debt Stabilization Fund Transfer)

To see if the Town will vote to transfer the sum of \$113,000 from the Debt Stabilization Fund to the Fiscal Year 2023 operating budget for the purpose of offsetting a portion of debt exclusion projects, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 2: (Transfer from Ambulance Receipts to General Fund)

To see if the Town will vote to transfer \$700,000 from Ambulance Receipts Reserved for Appropriation to the Fiscal Year 2023 General Fund Operating Budget, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: (Appropriation: FY23 Operating Budget)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriation from available funds, to defray charges and expenses of the Town including debt and interest, for the Fiscal Year ending June 30, 2023, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: (Appropriation: FY23 Water Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$4,673,560 for the maintenance of the Water Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 879,028
Expenses	745,400
Debt	2,597,373
Direct Costs Total	\$ 4,221,801

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$451,759
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Total	\$4,673,560
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$4,100,000
Retained Earnings	573,560
Total	\$4,673,560

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5: (Appropriation: FY23 Sewer Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,892,374 for the maintenance of the Sewer Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 278,369

Expenses	1,188,550
Debt	272,712
Direct Costs Total	\$1,739,631

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$152,743
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Total	\$1,892,374
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$1,871,238
Sewer Betterment Stabilization	21,136
Total	\$1,892,374

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: (Appropriation: FY23 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,804,050 to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 221,202
Expenses	1,400,300
Debt Service	51,668
Direct Costs Total	\$1,673,170

Indirect Costs

Indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$130,880
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Total	\$1,804,050
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$1,555,000
Retained Earnings	249,050
Total	\$1,804,050

PUBLIC SERVICES DEPT.

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items)

To see if the Town will vote to appropriate the sum of \$2,149,196 from Certified Free Cash for the purpose of funding the following capital and other items, including associated engineering, personnel, maintenance and legal service costs, and for the payment of all other costs incidental or related thereto:

Project	Department	Cost
Roads & Sidewalks	DPW	\$750,000
Replace 2001 Mack RD690S (216-Truck 6)	DPW	230,000
Replace 1994 Ford F350 Utility 4X4 (513)	DPW	60,000
Replace 2011 Ford F250 (313)	DPW	59,000
Skid Mounted 2 Ton Hot Box	DPW	13,365
John Deer Gator	DPW	30,000
Replace Kubota 1750 Lawn Tractor (344)	DPW	26,000
Fire Station 1 HVAC Units	DPW	20,000
Technology Equipment	IT	75,000
Technology Infrastructure Equipment	IT	25,000
Security Systems	IT	25,000
Projection	IT	35,000
Public Address (PA) Systems	IT	30,000
Memorial School Exterior Site Drainage	School	130,000
McGovern: Replace Sidewalks	School	25,000
Memorial: Paint First Floor Classrooms	School	60,000
Burke: Replace Sidewalks	School	50,000
McGovern: Office A/C Installation	School	25,000
High School: Replace Downspouts	School	30,000
Memorial: Replace 10 Classroom Floor Tile	School	65,000
Memorial: Flooring Replacement Carpet/VCT	School	50,000
High School: Paint First Floor Classrooms/Offices	School	36,000
High School: Replace Acid Neutralizer Tank	School	25,000
Memorial: Replace Window Glazing	School	60,000
McGovern: Install Two Basketball Hoops	School	10,000
New Command Vehicle	Fire	62,551

Firearms	Police	19,000
Building Ventilation	Library	20,000
Tech Services Counter	Library	15,000
Exterior Doors	Library	30,000
Baseline Doc for Conserv Land & Restrictions w/ Survey	Com & Econ Dev	24,000
Free Cash Total		<u>\$2,149,196</u>

Or act in any manner relating thereto.

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8: (Raise & Appropriate: Roads & Sidewalks)

To see if the Town will vote to raise and appropriate the sum of \$800,000 for the purposes of making repairs to various roads, sidewalks, bridges and related appurtenances, and to fund, as needed, design, engineering, and construction management services, and for the payment of all other costs incidental and related thereto, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: (Free Cash and Sewer Retained Earnings Transfer: Stormwater Compliance)

To see if the Town will vote to transfer the sum of \$150,000 from Certified Free Cash and \$181,000 from Sewer Enterprise Fund retained earnings for the purpose of funding the purchase and equipping of a stormwater compliance and street debris collection unit, or act in any manner relating thereto.

PUBLIC WORKS DEPT.

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10: (Water Retained Earnings Transfer: Purchase Generator)

To see if the Town will vote to transfer the sum of \$40,000 from Water Enterprise Fund retained earnings for the purpose of funding the purchase and equipping of a generator at the Village Street well, or act in any manner relating thereto.

PUBLIC WORKS DEPT.

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11: (Borrowing – New Centralized Water Treatment Plant)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money for the purpose of funding the construction, equipping and furnishing of a new centralized water treatment plant at 19 Populatic St, including engineering, design and project management services, site preparation, and for the payment of all other costs incidental and related thereto, to authorize the Board of Selectmen to apply for, accept and expend any county, state or federal grant for this purpose, and further that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or act in any manner relating thereto.

SELECT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12: (Borrowing – Oakland Well Water Line to New Centralized Water Treatment Plant)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$2,000,000 for the purpose of funding the construction of a water line from the Oakland Well to the new centralized water treatment plan, including engineering, design and project management services, site preparation, and for the payment of all other costs incidental and related thereto, to authorize the Board of Selectmen to apply for, accept and expend any county, state or federal grant for this purpose, and further that any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or act in any manner relating thereto.

SELECT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 13: (Borrowing – Redundant Wells at Oakland and Village Streets)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$3,000,000 for the purpose of funding the construction a second well and pump station at Oakland Street and a second well at Village Street, including engineering, design and project management services, site preparation, and for the payment of all other costs incidental and related thereto, to authorize the Board of Selectmen to apply for, accept and expend any county, state or federal grant for this purpose, and further that any premium received upon the sale of any bonds or

notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount, or act in any manner relating thereto.

SELECT BOARD

BOARD OF SELECTMEN RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 14: (Appropriation: General Stabilization)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$100,000 to be allocated to the General Stabilization Fund, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 15: (Appropriation: OPEB Trust)

To see if the Town will vote to raise and appropriate the sum of \$300,000 to the Town of Medway Other Post-Employment Benefits (OPEB) Trust account, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 16: (Appropriation: Medway Day)

To see if the Town will vote to raise and appropriate the sum of \$10,000 for Medway Day, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 17: (Appropriation: Native American and Indigenous Peoples National Commemoration Day)

To see if the Town will vote to raise and appropriate the sum of \$5,000 for Native American and Indigenous Peoples National Heritage Commemoration Day, or act in any manner relating thereto.

SELECT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18: (Appropriation: Community Preservation Committee)
 To see if the Town will vote to act on the report of the Community Preservation Committee for the Fiscal Year 2023 Community Preservation budget and to appropriate, or reserve for later appropriations, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the Fiscal Year 2023, as follows:

CPA Administration:	
CPC Expenses	\$15,000
CPC Salaries	5,000
CPC Debt Expense	418,725
Historic Resources:	
Digitize Jameson’s History of Medway	10,000
Open Space:	
Trail Upgrades	5,000
Total Direct Costs	\$489,175

Reserves:	10% of Estimated Fund Revenues
Open Space	\$147,879
Community Housing	\$147,879
Historical Preservation	\$147,879

or act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 19: (Revolving Funds –Authorize FY23 Spending Limits)
 To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 44, Section 53E1/2, to set Fiscal Year 2023 spending limits for revolving funds as follows:

Program or Purpose	FY2023 Spending Limit
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Self-supporting parks and recreation services, including salaries and benefits	\$450,000
Dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$130,000
Library printer, copier and fax expenses	\$3,000
Library meeting room	\$1,000
Thayer Homestead partial self-support of property, including salaries and benefits	\$80,000
Tobacco license compliance inspections	\$2,500
Self-supporting food services, including salaries and benefits	\$12,000

or act in any manner relating thereto.

**SELECT BOARD
(For the Various Departments Indicated)**

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 20: (Change in Personal Property Value Subject to Taxation)

To see if the Town will vote pursuant to Massachusetts General Laws Chapter 59, Section 5, Subsection 54, to increase the minimum value of personal property subject to taxation from \$2,500 to \$5,000, or act in any manner relating thereto.

BOARD OF ASSESSORS

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 21: (Amend General Bylaw: Historical Properties)

To see if the Town will vote to amend the General By-laws, Article XVII, Building Demolition, as follows (language to be deleted shown in ~~strike through~~, language to be added is underlined):

Amend Section 17.3.4:

- 3.4 Within forty-five days after the Commission’s receipt of a complete application, the Commission shall make an initial determination on whether the building is historically significant. The applicant for the permit may make a presentation to the Commission at that time. The Commission may require that the applicant provide a report from an engineer licensed to practice in Massachusetts with respect to any claims by the applicant as to the structural condition of the building. The Commission may also, at the applicant’s expense, hire its own consultant to review any such reports and any claims by the applicant as to the structural condition of the house.

Amend Section 17.3.6:

- 3.6 The Commission shall make a determination of whether or not the historically-significant building is preferably preserved within thirty-one days following the close of the public hearing.
- (i) If after a public hearing the Commission determines that the building should not be preferably preserved, the Commission shall notify the Building Commissioner and the applicant, in writing within seven business days after the close of the public hearing and the Building Commissioner may issue a demolition permit upon receipt of the written decision.
 - (ii) If after a public hearing the Commission determines that the building should be preferably preserved, the Commission shall so notify the Building Commissioner and the applicant in writing within seven business days after the close of the public hearing, and no demolition permit may be issued until: ~~twelve months after the date of the determination by the Commission.~~
 - a. at least twenty-four months after the date of determination by the Commission, for buildings that are 200 or more years old; or
 - b. at least eighteen months after the date of the determination by the Commission, for buildings that are at least 150 years old, but less than 200 years old;
 - c. at least twelve months after the date of the determination by the Commission, for buildings that are at least 75 years old, but less than 150 years old

Amend Section 17.4:

Section 17.4 Responsibility of Owners

- 4.1 During the ~~twelve month~~ demolition delay period, the applicant shall make continuing, bona fide and reasonable-a good faith efforts to find an alternative use for the building that will result in its preservation, including seeking a new owner willing to purchase and preserve, restore or rehabilitate the building. Other Aalternatives to demolition include, but are not limited to, incorporation of the building into the future development of the site; adaptive reuse of the building; utilization of financial incentives to rehabilitate the building; ~~seeking a new owner willing to purchase and preserve, restore or rehabilitate the building;~~ or moving or relocating the building. For the purposes of this paragraph, “continuing, bona fide and reasonable efforts” to seek a new owner shall mean retaining a licensed broker to market the property in the usual manner over substantially all of the demolition delay period, obtaining an appraisal from a reputable appraiser and providing evidence of good faith negotiations with potential buyers of the property. These efforts to sell the property shall be deemed unsuccessful only upon a finding that either there were no offers to purchase the property, that no offer from a willing and reasonably able buyer was for at least the appraised value of the property, or that no agreement to sell the property pursuant to an offer of at least the reasonable appraised value for the property could be reached despite good faith efforts to do so.

4.2 Upon determination by the Commission that a building is a preferably preserved historically significant building, the owner shall be responsible for properly securing the building, if vacant, to the satisfaction of the Building Commissioner. Should the owner fail to so secure the building, the subsequent destruction of such building through any cause, which destruction could have been prevented by the required security measures, shall be considered a demolition in violation of this bylaw.

4.3 If requested by the Commission, it shall be the responsibility of the owner to assist in the facilitation of the implementation of the requirements of this Bylaw by providing information and any architectural plans readily available to the owner, allowing access to the property, participating in the investigation of preservation options, and actively cooperating in seeking alternatives with the Commission and any persons designated by the Commission.

Add a new Section 17.8

The Commission may enact rules and regulations to carry out the provisions and purposes of this By-law.

Or act in any manner relating thereto.

HISTORICAL COMMISSION

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 22: (Amend Zoning Bylaws – Solar Electric Installations)

To see if the Town will vote to amend the Zoning Bylaw, Section 8.11 Solar Electric Installations as follows (new wording in **bold**):

Section 8.11.C.3: *Solar Parking Canopies*, which are accessory to a residential or non-residential use may be allowed by special permit in all zones except AR-I, AR-II, and VR, **or which are otherwise allowed under the provisions of this Zoning Bylaw**, and are subject to the requirements of this Section 8.11.

Section 8.11.G.1: Lighting - Large- and Small-Scale Solar Electric Installations, **except Solar Parking Canopies**, shall have no permanently-affixed exterior lighting.

Section 8.11.H.2.c: The design shall minimize the use of concrete and other impervious materials to the maximum extent possible. Ground-Mounted Solar Electric Installations, **except Solar Parking Canopies**, shall be installed on water permeable surfaces.

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 23: (Amend Zoning Bylaws – BESS Placeholder)

To see if the Town will vote to amend the Zoning Bylaw by adding a new section entitled “Batter Energy Storage Systems”, and by amending Table 1: Schedule of Uses, as follows:

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 24: (Amend Zoning Bylaws – Housekeeping)

To see if the Town will vote to amend the Zoning Bylaw as provided below:

1. Amend Flood Plain District, Section 5.6.1.E.3 as follows (words added in **bold**)

In Zones A1-30 and AE, along watercourses that have a regulatory floodway designated on the Town's FIRM, encroachments are prohibited in the regulatory floodway **unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not** result in any increase in flood levels within the community during the occurrence of the base flood discharge.

2. Amend Table 2 Dimensional and Density Regulations in Section 6, to add a Note g. as follows (words added in **bold**)

g. See Section 9 Oak Grove Park Districts for dimensional and density regulations for properties located in the Oak Grove Village Center, Oak Grove Business Park, and Oak Grove Neighborhood zoning districts.

3. Amend Environmental Standards, Section 7.3.D.2.a.4 as follows (words added in **bold**)

Work at construction sites and in the operation of construction equipment including start-up and movement of trucks, vehicles, and machines shall commence no earlier than 7:00 a.m. and shall cease no later than 7:00 p.m., Monday through Saturday. No construction shall take place on Sundays, federal holidays or state legal holidays without the advance written approval of the Building Commissioner. **The limits in this subsection do not apply to interior construction work such as painting, installation of drywall, flooring, and similar work.**

Or act in any manner related thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 25: (Street Acceptance – Hartney Acres)

To see if the Town will vote to accept as a public way, the following street as laid out by the Board of Selectmen and as shown on a plan or plans on file in the office of the Town Clerk:

Newton Lane in its entirety from Station 0+00 at its intersection with Nobscot Road to its end at Station 9+91.18

As shown on *Street Acceptance & As-Built Plan for Hartney Acres II Definitive Subdivision* (Newton Lane), Medway, MA dated November 24, 2021, last revised _____ prepared by O’Driscoll Land Surveying, Inc. of Medway, MA and CMG Engineering Services, of Sturbridge, MA,

And further to authorize the Select Board to acquire by gift, purchase, eminent domain or otherwise, and to accept the deed or deeds to the Town of a fee simple interest or easements in said street and any associated drainage, utility or other easements for said streets, and for any trail or public access easements, and to appropriate a sum of money for this purpose and any related expenses;

And further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article;

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

SELECT BOARD RECOMMENDATION:

FINANCE COMMITTEE RECOMMENDATION:

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two locations in each precinct at least SEVEN days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 4TH day of April 2022.

A TRUE COPY:

TOWN OF MEDWAY SELECT BOARD

Maryjane White, Chair

Dennis Crowley, Vice Chair

Frank Rossi, Clerk

Glenn Trindade, Member

John Foresto, Member

ATTEST: _____
Paul Trufant, Constable